

House Study Bill 772

SENATE/HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE
SYSTEM)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the judicial
2 branch.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5006JB 82
5 jm/mg/8

PAG LIN

1 1 Section 1. JUDICIAL BRANCH.
1 2 1. There is appropriated from the general fund of the
1 3 state to the judicial branch for the fiscal year beginning
1 4 July 1, 2008, and ending June 30, 2009, the following amount,
1 5 or so much thereof as is necessary, to be used for the
1 6 purposes designated:
1 7 For salaries of supreme court justices, appellate court
1 8 judges, district court judges, district associate judges,
1 9 judicial magistrates and staff, state court administrator,
1 10 clerk of the supreme court, district court administrators,
1 11 clerks of the district court, juvenile court officers, board
1 12 of law examiners and board of examiners of shorthand reporters
1 13 and judicial qualifications commission; receipt and
1 14 disbursement of child support payments; reimbursement of the
1 15 auditor of state for expenses incurred in completing audits of
1 16 the offices of the clerks of the district court during the
1 17 fiscal year beginning July 1, 2008; and maintenance,
1 18 equipment, and miscellaneous purposes:
1 19 \$144,745,322
1 20 2. The judicial branch, except for purposes of internal
1 21 processing, shall use the current state budget system, the
1 22 state payroll system, and the Iowa finance and accounting
1 23 system in administration of programs and payments for
1 24 services, and shall not duplicate the state payroll,
1 25 accounting, and budgeting systems.
1 26 3. The judicial branch shall submit monthly financial
1 27 statements to the legislative services agency and the
1 28 department of management containing all appropriated accounts
1 29 in the same manner as provided in the monthly financial status
1 30 reports and personal services usage reports of the department
1 31 of administrative services. The monthly financial statements
1 32 shall include a comparison of the dollars and percentage spent
1 33 of budgeted versus actual revenues and expenditures on a
1 34 cumulative basis for full-time equivalent positions and
1 35 dollars.
2 1 4. The judicial branch shall focus efforts upon the
2 2 collection of delinquent fines, penalties, court costs, fees,
2 3 surcharges, or similar amounts.
2 4 5. It is the intent of the general assembly that the
2 5 offices of the clerks of the district court operate in all 99
2 6 counties and be accessible to the public as much as is
2 7 reasonably possible in order to address the relative needs of
2 8 the citizens of each county.
2 9 6. The judicial branch shall continue studying the best
2 10 practices and efficiencies of each judicial district. In
2 11 identifying the most efficient judicial districts and the
2 12 districts using best practices, the judicial branch shall
2 13 consider the average cost to the judicial branch for
2 14 processing each classification of criminal offense or civil
2 15 action and the overall number of cases filed. In addition,
2 16 and as part of the best practices and efficiencies study, the

2 17 judicial branch shall study the number of judicial officers
2 18 needed throughout the state to manage current caseloads and
2 19 anticipated caseloads in the future, and shall make
2 20 recommendations, if any, as to changes in judgeship and
2 21 magistrate apportionment formulas in sections 602.6201,
2 22 602.6301, and 602.6401. The judicial branch shall file a
2 23 report regarding the study made, recommendations presented,
2 24 and actions taken pursuant to this subsection with the
2 25 co-chairpersons and ranking members of the joint
2 26 appropriations subcommittee on the justice system and to the
2 27 legislative services agency by January 1, 2009.

2 28 7. In addition to the requirements for transfers under
2 29 section 8.39, the judicial branch shall not change the
2 30 appropriations from the amounts appropriated to the judicial
2 31 branch in this Act, unless notice of the revisions is given
2 32 prior to their effective date to the legislative services
2 33 agency. The notice shall include information on the branch's
2 34 rationale for making the changes and details concerning the
2 35 workload and performance measures upon which the changes are
3 1 based.

3 2 8. The judicial branch shall submit a semiannual update to
3 3 the legislative services agency specifying the amounts of
3 4 fines, surcharges, and court costs collected using the Iowa
3 5 court information system since the last report. The judicial
3 6 branch shall continue to facilitate the sharing of vital
3 7 sentencing and other information with other state departments
3 8 and governmental agencies involved in the criminal justice
3 9 system through the Iowa court information system.

3 10 9. The judicial branch shall provide a report to the
3 11 general assembly by January 1, 2009, concerning the amounts
3 12 received and expended from the enhanced court collections fund
3 13 created in section 602.1304 and the court technology and
3 14 modernization fund created in section 602.8108, subsection 7,
3 15 during the fiscal year beginning July 1, 2007, and ending June
3 16 30, 2008, and the plans for expenditures from each fund during
3 17 the fiscal year beginning July 1, 2008, and ending June 30,
3 18 2009. A copy of the report shall be provided to the
3 19 legislative services agency.

3 20 10. The judicial branch is encouraged to purchase products
3 21 from Iowa state industries, as defined in section 904.802,
3 22 when purchases are required and the products are available
3 23 from Iowa state industries. The judicial branch shall obtain
3 24 bids from Iowa state industries for purchases of office
3 25 furniture during the fiscal year beginning July 1, 2008,
3 26 exceeding \$5,000.

3 27 Sec. 2. JUDICIAL RETIREMENT FUND.

3 28 1. There is appropriated from the general fund of the
3 29 state to the judicial retirement fund for the fiscal year
3 30 beginning July 1, 2008, and ending June 30, 2009, the
3 31 following amount, or so much thereof as is necessary, to be
3 32 used for the purpose designated:

3 33 Notwithstanding section 602.9104, for the state's
3 34 contribution to the judicial retirement fund in the amount of
3 35 30.6 percent of the basic salaries of the judges covered under
4 1 chapter 602, article 9:

4 2 \$ 3,450,963

4 3 2. There is appropriated from the revolving fund created
4 4 in section 602.1302 to the judicial retirement fund for the
4 5 fiscal year beginning July 1, 2008, and ending June 30, 2009,
4 6 the following amount, or so much thereof as is necessary, to
4 7 be used for the purposes designated:

4 8 As part of the state's contribution to the judicial
4 9 retirement fund in accordance with the conditions specified in
4 10 subsection 1:

4 11 \$ 1,174,663

4 12 3. There is appropriated from the court
4 13 technology and modernization fund established in
4 14 section 602.8108, subsection 7, for the fiscal year
4 15 beginning July 1, 2008, and ending June 30, 2009, the
4 16 following amount, or so much thereof as is necessary,
4 17 to be used for the purposes designated:

4 18 As part of the state's contribution to the judicial
4 19 retirement fund in accordance with the conditions
4 20 specified in subsection 1:

4 21 \$ 3,000,000

4 22 Sec. 3. POSTING OF REPORTS IN ELECTRONIC FORMAT ==
4 23 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
4 24 required to be provided by the judicial branch for fiscal year
4 25 2008=2009 to the legislative services agency shall be provided
4 26 in an electronic format. The legislative services agency
4 27 shall post the reports on its internet website and shall

4 28 notify by electronic means all the members of the joint
4 29 appropriations subcommittee on the justice system when a
4 30 report is posted. Upon request, copies of the reports may be
4 31 mailed to members of the joint appropriations subcommittee on
4 32 the justice system.

4 33 EXPLANATION

4 34 This bill makes appropriations for FY 2008=2009 to the
4 35 judicial branch.

5 1 The bill makes appropriations from the general fund of the
5 2 state, the jury and witness fees revolving fund, and the court
5 3 technology and modernization fund to the judicial retirement
5 4 fund.

5 5 Under the bill, the state's contribution to the judicial
5 6 retirement fund is set at 30.6 percent of the basic salaries
5 7 of judges.

5 8 The bill encourages the judicial branch to purchase
5 9 products produced by Iowa state industries.

5 10 LSB 5006JB 82

5 11 jm/mg/8